

United States  
IN THE CIRCUIT COURT FOR THE 7th JUDICIAL COURT  
Winnebago COUNTY, ILLINOIS

Kevin Riley  
Petitioner,

v.  
Keith Nygren  
Respondent.

FILED

No. \_\_\_\_\_

AUG 12 2008

08 C 50169

Reruhad

MICHAEL W. DOBBINS  
MOTION'S DISTRICT COURT  
CLERK FOR APPOINTMENT OF COUNSEL

The undersigned (Petitioner/Respondent), Kevin Riley, respectfully moves the court, pursuant to \_\_\_\_\_ (see \* on next page), to appoint counsel for (him/her) in this cause. (If you are filing for post-conviction relief, you should ask at this point that counsel be required to read your transcript, consult with you, and amend your petition if that is necessary.) In support, (Petitioner/Respondent) states:

1. I have been incarcerated continuously since 07-04-07, and am presently held in custody and residing at the McHenry County Correctional Center in Woodstock, Illinois, County of McHenry.
2. I am without sufficient income or assets with which to pay for the costs of these proceedings or to employ an attorney to represent me in this matter. (If you have filed an Application to Sue or Defend as a Poor Person, state this fact at this point. If the application has been granted by the court, state this fact.)
3. I am without the services of counsel to represent me in this matter and I wish the Court to appoint counsel to represent me in this matter.

(If you are seeking post-conviction relief, do not include paragraphs 4, 5, and 6; they are not necessary. If you are not seeking post-conviction relief, add paragraphs 4 and 5 including facts about yourself and your situation. (See \*\* on next page.) In addition, if this case concerns the condition or duration of your confinement, add paragraph 6.)

4. I have a constitutional right to access to the courts, and without the assistance of counsel, my access to the courts will not be adequate, effective or meaningful because:  
(a) (See \*\* on next page.)  
(b) etc.
5. My (claim/defense) in this matter is not frivolous or malicious, but is colorable and meritorious.
6. Since this matter concerns the (condition/duration) of my confinement, I have sought (institutional/administrative) review of this matter through the proper grievance procedures before this action was filed. (At this point, state what, if any, action was taken or decision that was made concerning your grievances.)

WHEREFORE, (Petitioner/Respondent) Kevin Riley, respectfully requests that counsel be appointed to represent (him/her) in this matter.

K Riley  
(Your signature)

Type or print name Kevin Riley  
Register number: 334982

\_\_\_\_\_ Correctional Center

Box \_\_\_\_\_  
Woodstock, Illinois 60098

(Petitioner/Respondent), Pro Se

McHenry County Jail  
2200 N Seminary Ave  
Woodstock, IL 60098


VERIFICATION OF CERTIFICATION

I, Kevin Riley, the undersigned, certify and state that:

1. I am the (Petitioner) (Respondent) in the above captioned legal matter;
2. I have read the foregoing application and have knowledge of its contents;

and

3. Under penalties as provided by law pursuant to sec. 1-109 of the Code of Civil Procedure, I certify that the statements set forth in the foregoing motion and this affidavit are true and correct except as to matters therein stated to be on information and belief, and as to such matters I certify that I believe the same to be true.

  
(Your signature)

\*Insert the proper citation(s) to whatever statute(s) or court rule(s) you are filing under, for example:

Ill. Rev. Stat., Ch. 34, sec. 5604

Ill. Rev. Stat., Ch. 38, sec. 103-4 [after 1992, see 725 ILCS 5/103-4]

Ill. Rev. Stat., Ch. 38, sec. 113-3(b) [after 1992, see 725 ILCS 5/113-3]

Ill. Rev. Stat., Ch. 38, sec. 122-4 [after 1992, see 725 ILCS 5/122-4]

Ill. Rev. Stat., Ch. 110, sec. 5-105 [after 1992, see 735 ILCS 5/5-105]

Ill. Rev. Stat., Ch. 40, sec. 1516(b) or (c) [after 1992, see 750 ILCS 50/13]

Depending on the type of case, other Illinois statutes may apply.

\*\* After reading the cases, set forth in paragraph 4 facts concerning yourself and your situation which you believe will show that you are unable to handle this matter without the assistance of counsel. For example; your educational level, physical or mental handicap, type of factual or legal material you need to develop to prove your allegations, how often you get to use the law library, etc. For additional help, see *Tedder v. Fairman*, 91 Ill.2d 216, 65 Ill. Dec. 398, 441 N.E.2d 31 (1982); *Doherty v. Caisley*, 104 Ill.2d 72, 83 Ill. Dec. 361, 470 N.E.2d 319 (1984), and later cases.